

Department of Toxic Substances Control Public Participation Manual

**State of California
Environmental Protection Agency
Department of Toxic Substances Control**

**Public Participation
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Preface

The California Department of Toxic Substances Control (DTSC) Public Participation Policy and Procedures Manual was developed by those valued Public Participation Specialists, whose talents and experiences have brought about an outstanding public involvement outreach effort for the State's Hazardous Waste Management and Site Mitigation programs. This manual supersedes the previous manual entitled Public Participation Policy and Guidance Manual.

This policy and procedures manual is based on state and federal statutes and regulations, and sets DTSC policy for public participation. This manual is designed to address the public participation components of the site mitigation and hazardous waste management processes and ensure compliance with state and federal laws and regulations.

The manual is designed for use primarily by the DTSC technical staff and public participation specialists, supporting site mitigation and hazardous waste management efforts.

IMPORTANT: Consulting this manual early in the process will minimize project delays by identifying required public participation activities, so they can be included in the project plan.

Disclaimer

The policies and procedures established in this manual are intended solely for the guidance of employees of the California Environmental Protection Agency, DTSC. They are not intended and cannot be relied upon to create any rights, substantive or procedural, enforceable by any party in litigation with the DTSC or any other agency of the State of California. DTSC reserves the right to act at variance with these policies and procedures and to change them at any time without public notice. The contents of this manual may change to reflect current statute or regulation, please consult DTSC's website for the most current language.

Mission Statement of the Public Participation Program

It is the mission of the Public Participation Program to ensure that the public is informed and involved early; that their issues and concerns are heard; and that their comments are considered prior to final decisions by DTSC staff and management.

Vision Statement of the Public Participation Program

We recognize that all members of the public have a stake in our decisions, and they should have the opportunity and are encouraged to participate in developing solutions to site cleanup and facility corrective action, determining the adequacy of permitting proposals, and encouraging the reduction of hazardous waste generation.

We actively promote the tenets of public participation within DTSC; we advise technical staff; and we provide the community's perspective during the managerial decision-making process.

Cultural and economic diversity is considered during our planning, decision-making, and in our outreach efforts. We recognize that all Californians are varied in their backgrounds, beliefs and cultures, and we are sensitive to their needs.

Introduction and Purpose

Public participation is an ever-changing process. The public's increasing desire to become involved in government decision-making has prompted legislative actions which now require public agencies to be more responsive to a community's needs. A proactive approach to public participation has been a fundamental element of the DTSC's Site Mitigation and Hazardous Waste Management programs for many years. Efforts to improve the public participation began in 1986, with the writing of policies and procedures, which would eventually be placed in the Public Participation Policy and Guidance Manual, issued in 1988. Since then, the dynamics of public policy have changed many of the ways that DTSC does business. As a result, public participation policies have changed to reflect the evolving climate in which DTSC must operate.

This policy manual is designed to give the reader a "cookbook" approach to public participation. A list of requirements and suggested activities are outlined for program activities, while a description of those requirements is contained in Chapter 6: Public Participation Tasks and Techniques.

While this approach is designed to meet public participation requirements, those who conduct outreach efforts must realize that successful public participation hinges on the commitment of DTSC staff to the principles of public involvement.

The objectives of this manual are to:

- ◆ Serve as a guidepost for the public affected by DTSC's decisions in that it provides information on the process by which members of the public can become involved and have an impact on DTSC's decision-making;
- ◆ Referral to communities etc;
- ◆ Identify the various federal and state laws which mandate public participation within the Site Mitigation and Hazardous Waste Management processes;
- ◆ Identify the various California regulations under which public participation is administered;
- ◆ Establish statewide departmental policies and procedures for the public participation program;
- ◆ Provide guidance to Project Managers, enforcement staff, Public Participation Specialists, potentially responsible parties, armed services personnel, and project proponents and their contractors in formulating and implementing public participation plans;
- ◆ Identify the roles and responsibilities of persons involved with public participation processes within the Site Mitigation and Hazardous Waste Management Programs, and other programs where statute, regulation or DTSC policy requires public outreach; and,
- ◆ Differentiate between Public Participation and Public Relations, as the differences are significant.

Note: The procedures in this document are examples of public participation procedures, which can be effective in a variety of situations. However, a public participation plan must be flexible to accommodate the changing needs and attitudes of an individual or a community. The Project Manager, Public Participation Specialist, the public or community, and contractor must work together to continually assess community needs and alter a public participation plan when necessary.

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